



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,411	02/28/2002	Douglas Richard Luehrs	A-7295	3215
5642	7590	12/27/2007	EXAMINER	
SCIENTIFIC-ATLANTA, INC.			NEWLIN, TIMOTHY R	
INTELLECTUAL PROPERTY DEPARTMENT			ART UNIT	PAPER NUMBER
5030 SUGARLOAF PARKWAY			2623	
LAWRENCEVILLE, GA 30044			NOTIFICATION DATE	
			12/27/2007	
			DELIVERY MODE	
			ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOmail@sciatl.com

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/085,411	LUEHRS, DOUGLAS RICHARD
	Examiner Timothy R. Newlin	Art Unit 2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 February 2002.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-97 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-97 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 8/18/2003, 2/28/2002.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 24, 47, and 72 are rejected under 35 U.S.C. 102(e) as being anticipated by Yuen et al., US 6,231,381.
3. Yuen discloses a method for controlling viewer access to media content, said method comprising the steps of:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user [authorized user can add programs for viewing, col. 13, 45-48 and col. 14, 20-26]; and  
enabling the user to access the media content as defined by the administrator col. 9, 58-60].

4. With respect to claims 47 and 72, Yuen discloses a memory [82, 84, Fig. 5] and a processor [80, Fig. 5].

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2-23, 25-46, 48-71, and 73-97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuen as cited above in view of Herrington, US 6,922,843.

7. Regarding claims 2 and 48, Yuen discusses blocking/enabling programs based on the scope of their content at col. 13, line 48, but does not go into detail regarding this feature. Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of enabling the administrator to define the scope of the media content the user can access **[administrator can define scope in terms of rating, channel, time, etc., e.g. Fig. 10A].**

8. Both Herrington and Yuen are directed to parental control of broadcast content. Yuen is a simpler system, but each system allows administrators to block or enable other users to view content based on ratings, time, channel, and other parameters. It would be obvious to one skilled in the art to modify Yuen, which discloses control circuitry (e.g., Figs. 2-5) and a basic user interface, with Herrington, which expands the user interface and adds parental control of purchase/recording. Thus, the combination

overcomes the shortcomings of Yuen and provides administrators with a greater level of control to customize user access.

9. Regarding claims 3, 25, 49, and 73, Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of providing the administrator with a pre-configured list of selectable authorization levels that enable the administrator to categorize the user and the corresponding media content the user will have access to **[administrator may select the authorization level of new users as "parent" or "non-parent", Fig. 4A, col. 48-58. The system also uses preconfigured lists of authorization levels, such as TV and Movie ratings, Fig. 5B; col. 9, 39-46]**.

10. Regarding claims 4, 27, 50, and 75, Herrington discloses a method wherein the step of providing the administrator with a pre-configured list of selectable authorization levels includes the step of providing the administrator with a screen for configuring personalized authorization levels **[e.g., screen 174, Fig. 8A]**.

11. Regarding claims 5, 26, 51, and 74, Herrington discloses a method further including the step of providing a personal identification number screen to enable the user to access the selectable user authorization level **[screen 172, Fig. 8A]**.

12. Regarding claims 6, 28, 52, and 76, while neither Herrington nor Yuen disclose every category recited in claim 6, the Herrington includes categories of MPAA ratings,

tv ratings, time of access, display channels, PPV programming services (**Herrington screen 174, Fig. 8A**], and Yuen teaches use of a V-blocking system that blocks based on subject matter and can apply to movies played on a VCR [**Yuen, cols. 16-17, 55-19**]. The additional categories recited in claim 6 are minor variations or extensions of the categories disclosed in the references, and are common sources of input to a viewing device. Thus it would have been obvious to one skilled in the art to modify Herrington and Yuen to incorporate the categories of claim 6.

13. Regarding claims 7, 29, 53, and 77, Yuen discloses a method further including the step of enabling the user access to the media content when no conflicts between the selectable categories exist [**cols. 14-15, 66-13**].

14. Regarding claims 8, 30, 54, and 78, Yuen discloses a method further including the step of providing a warning barker if the conflicts arise [**at step 354, the system will alert the administrator by noting inconsistencies, Fig. 7, col. 15, 2-13**].

15. Regarding claims 9, 31, 55, and 79, Yuen discloses a method including the step of permanently recording the media content that the user has access to a personal video recording device, when the media content is presented in real-time during an interval of time that was not enabled by the administrator, for later access during an enabled interval of time [**programs, including time intervals containing blocked scenes, may be recorded for access at a later time, col. 8, 26-39**].

16. Regarding claims 10, 32, 56, and 80, Herrington discloses a method including the step of limiting the media content displayed on a screen display to the user to what the administrator has enabled the user to access [col. 4, 23-27].
17. Regarding claims 11, 33, 57, and 81, Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of providing the administrator with a display of an interactive program guide from which the administrator can select the media content instance for enabled access [Fig. 14].
18. Regarding claims 12, 34, 58, and 82, Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of providing the administrator with a display of a video on demand catalog guide from which the administrator can select the media content instance for enabled access [col. 19, 14-35].
19. Regarding claims 13, 35, 59, and 83, Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of providing the administrator with an icon that enables the administrator to select the media content instance for enabled access from a displayed presentation of the media content instance [video is presented in screen 252 of Fig. 16, from which administrator may choose to enable or disable access for a selected user, col. 16, 9-22].  
Herrington does not show an icon on the video presentation. However, Herrington does

describe the use of a "lock key" while the video is playing, and also shows a lock icon [Fig. 16, col. 16, line 15]. Given the procedure described by Herrington, it would have been obvious to one skilled in the art to show an icon within the video presentation which the user could select. In both cases, the administrator uses the remote to activate the configuration screen; whether the user presses a remote button to select an icon or presses a remote button having an icon or label does not render the claim nonobvious over the prior art.

20. Regarding claims 14, 36, 60, and 84, Herrington discloses a method wherein the step of providing interactive user interfaces includes the step of providing selectable and personalized user authorization levels for a plurality of users [Fig. 4A, cols. 10-11, 62-15].

21. Regarding claims 15, 37 61, and 85, Herrington discloses a method further including the step of enabling the user to access the media content enabled in more than one of the authorization levels [administrator may enable user to access content in a single rating level or multiple rating levels, col. 3, 49-53].

22. Regarding claims 16, 38, 62, and 86, Yuen discloses a method further including the step of enabling the user to access the media content located in a personal video recording device [col. 17, 14-19].

23. Regarding claims 17, 39, 65, and 90, Herrington discloses a method further including the step of causing the display of the user interfaces to time-out after a defined time period of administrator inactivity **[col. 19, 4-6]**.

24. Regarding claims 18, 40, 66, and 91, Herrington discloses a method including the step of providing a user interface display that provides the administrator with the ability to access content provider updates to the media content **[col. 7, 49-59; col. 9, 26-49]**.

25. Regarding claims 19, 41, 67, and 92, Herrington discloses a method wherein the step of providing interactive user interfaces further includes the step of enabling the administrator to exclude media content from access by the user **[e.g., Figs. 11, 13]**.

26. Regarding claims 20, 42, 68, and 93, Herrington discloses a method further including the step of excluding from access by the user the media content that the administrator has excluded **[col. 3; col. 19]**.

27. Regarding claims 21, 22, 43, 44, 69, 70, 94, and 95, neither Herrington nor Yuen shows the use of a blank screen or specifically directing the user to contact the administrator. However, Herrington does show a screen directing the user to enter an authorization code **[Fig. 19C]** and a screen informing the user that they are not authorized to make an attempted purchase **[screen 356, Fig. 30C]**. It would be obvious

to one skilled in the art to add to Herrington a blank screen and/or a message to contact the administrator, since Herrington's screens convey the same message: that the user cannot access the content and will have to contact the administrator of the system in order to gain access.

28. Regarding claims 23, 45, 71, and 96, Herrington discloses a method wherein the media content includes broadcast and on-demand media content **[col. 19, 16-35]**.

29. Regarding claims 63 and 88, a system wherein the processor and the memory and the logic are located remotely from a media client device. Official notice is taken that a typical cable headend includes memory and processing devices, which is well-known in the art. It would be obvious to someone skilled in the art of video distribution to utilize those components to perform the functions of the present invention in order to minimize the cost and complexity of the subscriber equipment in terms of processor speed and memory capacity.

30. Regarding claims 64 and 89, Yuen shows a system wherein the processor and the memory and the logic are located at a media client device **[Fig. 5]**.

31. Regarding claim 87, Herrington discloses a method wherein the steps of providing and enabling occur for a plurality of media content instances **[Herrington allows users to enable or lock a plurality of programs, e.g. screen 182, Fig. 8B]**.

32. Claims 46 and 97 contain only limitations found in previous claims, all of which have been addressed above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy R. Newlin whose telephone number is (571) 270-3015. The examiner can normally be reached on M-F 9-6 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number:  
10/085,411  
Art Unit: 2623

Page 11

TRN



CHRIS KELLEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600